

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OYSTER OPTICS, LLC,

Plaintiff,

v.

CIENA CORPORATION,

Defendant.

Case No. [17-cv-05920-JSW](#)

**ORDER TO SHOW CAUSE WHY
OYSTER-FUJITSU SETTLEMENT
AGREEMENT SHOULD BE FILED
UNDER SEAL IN ITS ENTIRETY AND
INSTRUCTIONS TO PARTIES**

In addition to the motions for summary judgment and motions to exclude expert testimony, the parties have filed motions to seal portions of those briefs and exhibits in support of their positions.

One of those exhibits is a settlement agreement between Oyster Optics LLC and Fujitsu Ltd. and Fujitsu Network Communications (the “OFA”). (Dkt. No. 177-54.) Oyster is ORDERED TO SHOW CAUSE why that exhibit should remain under seal in its entirety. *See Oyster Optics, LLC v. Coriant Am., Inc.*, No. 16-cv-01302-RJG, 2018 U.S. Dist. LEXIS 236708, at *5-*9 (E.D. Tex. Dec. 4, 2018).

The Court FURTHER ORDERS the parties to meet and confer regarding all pending motions to seal. To assist the Court in determining what portions of its order resolving pending motions can be publicly filed, if there are exhibits that have been filed under seal in their entirety that can be redacted, the parties shall file a joint statement, which includes a chart that sets forth those exhibits, their docket number, and the portions of the exhibit that can be publicly filed.

The Court intends to issue its ruling on the motions to seal when it issues its Order resolving the motions for summary judgment and *Daubert* motions.

Oyster shall files its response to this Order to Show Cause and the parties shall file their

joint statement by no later than April 17, 2023.

IT IS SO ORDERED.

Dated: April 3, 2023



JEFFREY S. WHITE
United States District Judge

United States District Court
Northern District of California